IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELATE CIVIL JURISDICTION

WRIT PETITION NO.4011 OF 2004

The State of Maharashtra & Ors. ..Petitioners

Vs.

Hemant W. Salvi & Ors. ..Respondents

Mr.D.A.Patil, A.G.P. for Petitioners

CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 17TH FEBRUARY, 2005.

P.C.

. Petitioners Challenge the order dated 1st October, 2002, by filing Petition on 18th March, 2004. No sufficient reason is given explaining the delay in filing the Petition after more than one and half years. On this count alone the Petition is liable to be dismissed.

2. We have also perused the impugned order. The Tribunal considered earlier order passed in O.A.No.757 of 2001 dated 14th December, 2001 which it had allowed. In other words it has merely followed its earlier judgment.

. Learned Counsel for the Petitioners state that, that order is the subject matter of Writ Petition filed before this Court. There is however, no stay of the order. Even otherwise the operative

part of the order in O.A. No.757 of 2001 has been reproduced. All that order says is that the Respondent State considering the judgment of the Apex Court in Ajit Singh case had to formulate guide-lines or make rules for the purpose of seniority. Therefore, there was direction to the State Government, to issue appropriate guide lines. We really cannot find any infirmity in the said order which merely directed Petitioner no.1 herein in the absence of rules of seniority to frame such rules or issue administrative orders. In the O.A. the Respondents merely prayed that their representations be disposed of in terms of directions in O.A. No.757 of 2001. That was allowed, the petitioners were directed to dispose of the representation within fifteen days of the order. We therefore, do not think this to be a fit case to exercise our extra ordinary jurisdiction.

. If however, the writ petition challenging O.A. No.757 of 2001 is allowed, it will be open to the Petitioners to apply for review of the order. With the above order petition is disposed of. No order as to cost.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)